

### **REMARKS/ARGUMENTS**

As is set out in the Office Action, the undersigned attorney made provisional election with traverse to prosecute the invention group 1, Claims 1-4 and 16.

The claims to the multi-layer labels have been canceled. Claims 1 and 5 have been amended to recite that the adhesive layer is die-cut to define side and end margins. It is submitted that as amended, the various claims now are so related that the requirement for election no longer is necessary. The way to obtain the die cut adhesive layer of amended claims 1 and 5 is to perform the method of claim 12. The product of claim 5 cannot practically be used for fly paper, the adhesive being covered with a face sheet that extends beyond the borders of the die-cut adhesive.

The specification has been amended more clearly to define a "cold flow adhesive" as an adhesive that exhibits the characteristics of adhesive flow at ambient temperature and absent compressive force. Warrant for the "absence of compressive force" is found on page 4, where it is recited that the compressive force exerted on the labels of the convolutions "intensifies the extrusion of the adhesive", but also on page 8 line 13 and 14 where it is recited that the tendency to ooze "becomes all the more pronounced when the adhesive layer 14 is compressed".

Claims 1 and 2 were rejected as anticipated by Fabel. Fabel describes the application of a hot-melt adhesive (column 5 line 59). In any event, the adhesive used by Fabel is only likely to ooze or bleed "when exposed to heat" (column 3 lines 11 and

12). The adhesive of Fabel is not die-cut, but apparently is simply applied to the back of the top layer; see column 5 line 7 "Preferably, adhesive 40 is disposed on the back or interfaced on the top layer to substantially cover the entire area of the back face, leaving it approximately 1/16" adhesive-free border 41 around the perimeter of said sheet 1." Clearly the adhesive is merely applied in a conventional way. See also column 5 line 55-61. Thus, Fabel discloses neither the use of a cold flow adhesive nor the die cutting of the adhesive to define side and end margins of adhesives that are set inwardly, respectively from the side and end margins of the face sheet.

Freeman et al. shows a multi-layer film face stock, which is no longer claimed by applicant. Freeman also does not suggest die cutting the adhesive, nor leaving an uncoated margin, nor does Freeman disclose the use of an adhesive that is described by Freeman as having the characteristics of cold flow.

Thus, neither of the references suggests applicant's label, nor the web, nor the process of producing the web.


The claims were also rejected as failing to disclose what constitutes a "cold flow" adhesive and a "firm" adhesive. The claims now do not refer to a "firm" adhesive. What constitutes a "cold-flow" adhesive would be clear to one skilled in the art in the light of existing description, but the specification is being amended to define it more explicitly. The cold-flow adhesives identified as Emtech G 1120 and Emtech G 1110 are adequately described and available, and known to those skilled in the art.

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For the reasons that the claims as they now are amended all recite specifically the provision of cold flow adhesive die cut to define borders set in from margins of the face sheet, and therefore have a common key provision, that they define patentably over the prior art and that the description of the cold-flow adhesive is adequate to instruct those skilled in the art as to what the adhesive is and where to get it, reconsideration of the requirement for election and allowance of the claims are respectfully submitted.

Respectfully submitted,

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